

A

REVIEW

OF THE

STATE

OF THE

BRITISH NATION.

Saturday, November 19. 1709.

I Have from the Beginning of the present Debates in Scotland given you, as impartially as I can, the State of the Dispute; I think, in relating Facts only, no Man can take just Offence. There is a Man, who calls himself a Clergy-man, put into Prison by the Magistrates of Edinburgh for Contempt of their Authority. He is first summons'd before the Presbytery of Edinburgh, not for setting up the Common-Prayer, as ye all imagine—but for exercising the Office of a Minister, without any thing to call himself a Minister from, but the Ordination of a Depos'd Non-jurant Bishop by his Jacobite Authority.

I have valued to hear some-body or other defend that Ordination, and tell us, it ought to be accepted among us. But hitherto no Man has attempted it.

Indeed I think by the same Rule, that the Jacobite Bishops can ordain Ministers; the Pretender may nominate Bishops, and so you may bring in a new Chain of Causes and Consequences not yet thought of; and I am ready to talk with the Gentlemen upon that Head, whenever they please.

Now pray, Gentlemen, observe to distinguish right in this Case, The Man is not imprison'd for setting up the Common-Prayer; and this is the second Attempt they have made, without Effect, to have the Prosecutions of the Innovators in Scotland be merely on that Head, that the Church of England might be said to be persecuted—I allow, that after all they will force the People of Scotland to do it—And that the Church of Scotland will not permit the Thing. That they stipulated, in the Union

Union expressly against, and that if it be thrust upon them, they will oppose it— And to them that ask me why they will— I shall say, answer me first this Question, and then I shall answer that; Why will ye put it upon them, contrary to express Conditions, a long Treaty, and a solemn Bargain? If any Man offers to query, whether it was stipulated against or no, I shall enter upon the Proof of it at Demand— At present I am to return to the Matter of History.

This Person has been imprison'd some Time— To talk of Starving, Distress, and such Things, I suppose, no Body that knows Things there will offer that. How, and upon what easie Terms he might have come out, and may still, every Body knows, *Viz.* Only his promising to desist from what by the Law he cannot do— But the apparent Design is to come out over the Heads of the Magistrates, that he might insult them with more Freedom; in order to which, he presented to the Lords of the Session, on the 5th Instant, a Bill of Suspension, praying to be discharg'd, and alledging wrongous Imprisonment— And this being to be debated on the 8th, the Magistrates appear'd to defend their Proceedings— And I cannot give the World a fuller Account of the State of the Case, and the Arguments on both sides, than in the following Paper, being the Copy of what was drawn up by the Advocates for the Magistrates, and given unto the Lords of the Session— The rest of the Proceeding shall follow.

November 4. 1709.

ANSWERS for the Magistrates of the Good Town of Edinburgh, to the Bill of Suspension given, in the Name of Mr. James Greinshells, pretended late Minister of the Church of Tynam in Ireland.

THE Complainer Mr. James Greinshells, without a Legal Vocation to be a lawful Minister of any Church or Communion, having presumptuously taken upon him to preach and exercise all the Parts of the Ministerial Function in Scotland, and that at Edinburgh, and with an uncommon Offentation to practise what he had begun openly.

The Reverend Presbytery of Edinburgh did very suitable to their Duty, call him before them; And he did so far acknowledge their just Authority as to Compear, and did produce a pretended Act of Ordination, bearing Date in August, 1694, by the late Bishop of Ross, long after Prelacy, and all Superiority in Offices in this Kingdom above Presbyters, had been abolish'd by King and Parliament, in the 3d Act of Parliament held in the Year 1689.

Tho' this pretended Ordination so manifestly Defective; The said Mr. Greinshells pretended to justify, and carry'd himself so haughtily, as to decline the Authority of the Church, which he had the Minute before acknowledg'd, and then with an Ignorance equal to his Presumption, pretended to be a Presbyter of the Church of England, tho' his Ordination was by an *Exautorate* or no Bp. of Scotland; and to support this, alledg'd an imaginary Incorporation of the Churches of Scotland and England, and to compleat his Inconsistencies and Follies, did endeavour to justify this Incorporation by the Act of Union, tho' it had most carefully preserv'd the Establish'd Presbyterian Church Government in Scotland, and distinguish'd the Case of the Church here, from that in England.

It cannot seem strange, that the Reverend Presbytery did discharge the Complainer in these Circumstances to preach, seeing he had not so much as the Pretence of Authority, and was in Effect a Layman, assuming to himself Orders in a Place where there is a Church establish'd by Law, with Power of Discipline; And seeing there appear'd so much Presumption, both in the Manner and in the Matter of his Defence; The Presbytery did most justly require the Civil Magistrate, to take Care that such should not be admitted to preach to the People.

The Magistrates of Edinburgh, who were at the same time call'd upon by great Numbers of People, by a Petition, craving, That a Restraint might be put on such Abuses, did nevertheless proceed with the outmost Moderation and Tenderness, and only call'd the Complainer before them, admonishing him to forbear Preaching, and obey the Sentence of the Presbytery; Which he having transgress'd, and thereby contemn'd both Ecclesiastick and Civil Authority; The Ma-

Magistrates did imprison him, until he should find Caution for his good Behaviour and Obedience.

But Mr. James Greinshells the Complainer, has rather chosen to present this Bill of Suspension, hoping without doubt, if he may prevail, a Door may be open'd to greater Disorders, and has for that End stuff'd his Bill with many Things Foreign to the Purpose.

The Reasons of Suspension are usher'd in with a Narrative of the Complainer's being legally Ordain'd a Minister of the Gospel, and his having sometime serv'd the Cure at the Church of Tynam in Ireland, under a Prebend of Armagh, by which one should be tempted to believe he had been Ordain'd in Ireland, and afterwards had preach'd there, till he had come over to Scotland lately, and after his Inconsistent Way, he is a Minister of the Church of Scotland, England, and Ireland; but by Authority of no legal Mission in these or any Church whatever, and what Incorporation he will find to join all these, is hardly to be foreseen: The Truth is, that he is not legally Ordain'd a Minister any where; But being a Curate under a Prebendary in Ireland, is come by his private Authority to create Disturbances here.

The Complainer pretends to give good Evidence of his Affection and Qualifications to the Government; But the Ordination from an Excommunicate Bishop, who never own'd its Authority, nor the Supremacy of King William, nor of her Majesty; As by their own Principles they ought; and the Complainer's coming over to disturb the Establishment of the Church and People, so well affected to the Civil Government, and the Protestant Succession; The warm Support the Complainer meets with here, from People who have given no good Evidence of Affection to it, I say, this Conduct does very ill agree with the pretended Loyalty the Complainer boasts of.

It were unnecessary to give the Lord Ordinary the Trouble, to examine the Account the Complainer gives of his being invited to preach, and use the Service of the Church of England here, of which he will be hardly able to give any good Evidence, neither will it be to the present Purpose to give particular Answers to several

other affected Reasons, no ways belonging to the Case, and therefore the Good Town shall content themselves to answer only such Reasons, which may seem to concern the Subject of the Complaint.

The Complainer's first Reason is, That being Ordain'd a lawful Minister, he has the Benefit of the 16th Act of the Meeting of the Estates of Scotland, whereby it is prohibited and discharge'd, that any Injury be offer'd by any Person whatsoever, to any Ministers of the Gospel, either in their Churches or Meeting-Houses.

But the Complainer forgets the following Words, (*Who are presently in the Possession and Exercise of their Ministry therein, and behave as becomes under the present Government*) And it's certain, the Complainer neither does, nor pretends to subsume in the Terms of the Act, nor of any of the Acts mention'd in his Bill; And it were a Matter of very bad Consequence, if the Ministers of the Church, and the Magistrates in this Part of her Majesty's Kingdom, should admit a Person to preach upon a pretended Ordination, by an Authority abolish'd by the Civil Power, and contrary to the Ecclesiastick Establishment; These whom the Act of the Convention did protect, were Ministers, who at least were own'd as such by one side or other; But this Complainer is in a quite different Case, being Ordain'd in manner foreaid; Nor does this Question only concern this Part of the Island, for there were Excommunicated Bishops in England at the Time of the Revolution, as well as in Scotland, but never any such were allow'd to Ordain, which would be to allow a perpetual Schism.

2. The Complainer does much insist upon the Church's Want of Power over others, than these of their own Communion, but at the same time acknowledges, the Church has the Power of Discipline, as to Immoralities and Errors, and that the Civil Magistrate ought to put their Sentence in Execution: Now by the Complainer's own Way of Reasoning, the Church had good Reason to enquire, Whether he was a Minister or no? And if he was not, to restrain him, as not having a Mission from any Authority acknowledg'd by any Church, and consequently the Magistrates were in their Duty to put the Sentence in Execution,